

## REMARKS

### **I. General**

Applicant thanks the Examiner and her primary Examiner for their time and consideration in conducting the telephonic interview of August 27, 2007. Applicant has submitted amendments herein consistent with the discussions during that interview. Applicant respectfully requests that the Examiner consider the amendments herein prior to issuing the next substantive Office Action.

Applicant has amended independent claim 1 herein to recite “said postage computing device operable to use said calculated postage value to generate an information based postage indicia for each individual mail piece in parallel with the mail piece being physically processed by a mail processing component of said two or more mail processing components . . . wherein said information based postage indicia is available for printing by said postage application printer at the time the corresponding one of the mail pieces arrives at said postage application printer . . . .” Support for the foregoing limitations may be found in the specification at, *inter alia*, paragraphs 0031 and 0035. Because claim 1, as amended, recites an information based postage indicia, dependent claim 8, reciting “information based indicia,” has been cancelled as being redundant. Claim 1 has further been amended to correct an informality discovered during the preparation of the present amendment as well as to delete the previously inserted language regarding the postage value being based upon the number of pages included in the mail piece.

Independent claim 11 has been amended herein to recite “generating an information based postage indicia, using said calculated postage value, for each individual mail piece in parallel with the mail piece being physically processed by one or more of the components of said high-speed mail processing system . . . wherein said information based postage indicia is available for printing at the time the corresponding one of the mail pieces arrives at a printer for said printing.” Support for the foregoing limitations may be found in the specification at, *inter alia*, paragraphs 0031 and 0035. Claim 11 has further been amended to delete the previously inserted language regarding the postage value being based upon the number of pages included in the mail piece.

Independent claim 19 has been amended to recite that the postage value is calculated based upon “based upon a count of the number of documents included in each said individual mail piece and weights of the documents . . . .” Similarly, new claim 22, dependent from claim 11, has been added to recite language regarding the postage value being based upon the number of pages included in the mail piece as well as to recite that the postage value is based upon the weights of those pages. Support for these claim limitations may be found in the specification at, *inter alia*, paragraphs 0012 and 0026.

## **II. Applicant's Record Under § 713.04 of Telephone Interview With Examiner**

Applicant respectfully submits the following record of the interview of August 27, 2007, under M.P.E.P. § 713.04:

The following persons participated in the interview: Examiner Tonya S. Joseph, primary Examiner Igor Borissov, and Applicant's attorney R. Ross Viguet. The independent claims were discussed in reference to the applied art. Specifically, the claims' recitation of limitations regarding computing or calculating postage for individual mail items or pieces was discussed. Primary Examiner Borissov suggested that the limitation “based upon the number of pages included for each said individual mail piece” may be read so as to include determinations based upon thickness of mail items and thus suggested claim amendments to include recitation of utilizing a page count. Applicant's attorney suggested claim amendments to recite a parallel processing aspect of the invention which facilitates high speed postage printing in order to claim the invention without requiring details of exactly how the individual postage values are arrived at.

## **III. 35 U.S.C. § 102(b) Rejections**

Claims 11, 12, 15, 16, 18, and 19 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Ryan, Jr., United States Patent number 6,173,274 (hereinafter *Ryan*). Applicant respectfully traverses the rejections of record.

Claim 11, as amended, recites “generating an information based postage indicia, using said calculated postage value, for each individual mail piece in parallel with the mail piece being physically processed by one or more of the components of said high-speed mail

processing system . . . wherein said information based postage indicia is available for printing at the time the corresponding one of the mail pieces arrives at a printer for said printing.”

*Ryan* does not disclose calculating postage for each individual mail piece or generating information based postage indicia in parallel with physical processing of mail pieces. Accordingly, Applicant asserts that claim 11 and the claims dependent therefrom are allowable over the art of record.

Claim 19, as amended, recites “calculating a postage value for each individual mail piece based upon a count of the number of documents included in each said individual mail piece and weights of the documents . . . .” *Ryan* does not disclose calculating postage based upon a count of documents and weights of the documents. Accordingly, Applicant asserts that claim 19 and the claims dependent therefrom are allowable over the art of record.

#### **IV. 35 U.S.C. § 103 Rejections**

Claim 1-10, 13, 14, 17, 20, and 21 stand rejected under 35 U.S.C. § 103 as being obvious over Freeman et al., United States patent number 6,041,569 (hereinafter *Freeman*), in view of Chang et al., United States patent number 5,612,888 (hereinafter *Chang*). Applicant respectfully traverses the rejections of record.

Claim 1, as amended, recites that the “postage computing device [is] operable to use said calculated postage value to generate an information based postage indicia for each individual mail piece in parallel with the mail piece being physically processed by a mail processing component of said two or more mail processing components . . . wherein said information based postage indicia is available for printing by said postage application printer at the time the corresponding one of the mail pieces arrives at said postage application printer . . . .” In contrast to the express limitations of claim 1, *Freeman* does not disclose separately calculating postage for each individual mail piece or generating information based postage indicia in parallel with physical processing of mail pieces. Moreover, the disclosure of *Chang* is insufficient to cure these deficiencies in the disclosure of *Freeman*. Accordingly, Applicant asserts that claim 1 and the claims dependent therefrom are allowable over the art of record.

**V. The New Claim**

New claim 22 is asserted to be allowable at least for the reasons set forth with respect to claim 11 above. Moreover, claim 22, reciting "a weight of each mail piece varies depending upon the number of pages included in each mail piece, and wherein the postage value for each mail piece is calculated based upon a count of the number of pages included for that mail piece and weights of the pages," is asserted to be allowable because the art of record does not disclose the foregoing.

**VI. Summary**

In view of the above, Applicant believes the pending application is in condition for allowance. Accordingly, Applicant respectfully requests that the application be passed to issue.

Applicant believes no fee is due with this response. However, if a fee is due, please charge our Deposit Account No. 06-2380, under Order No. 61135/P019US/10303184 from which the undersigned is authorized to draw.

Dated: August 29, 2007

Respectfully submitted,

By R. Ross Viguet  
R. Ross Viguet  
Registration No.: 42,203  
FULBRIGHT & JAWORSKI L.L.P.  
2200 Ross Avenue, Suite 2800  
Dallas, Texas 75201-2784  
(214) 855-8185  
(214) 855-8200 (Fax)  
Attorney for Applicant